

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

SHEPARD WATSON §  
VS. § CIVIL ACTION NO. 1:05cv602  
G. MITCH WOOD, ET AL. §

MEMORANDUM ORDER OVERRULING PLAINTIFF’S OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff Shepard Watson, a prisoner confined at the Bartlett State Jail, proceeding *pro se*, filed this civil rights complaint pursuant to 42 U.S.C. § 1983 against G. Mitch Wood Dr. Gernale, Dr. Rodriguez, Medical Department Administrator Deney, Captain Cassidy, Lieutenant Dotson, Lieutenant Minner, and Contract Monitor Cindy Green. Plaintiff requested leave to proceed *in forma pauperis*.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends denying plaintiff leave to proceed *in forma pauperis* and dismissing the action pursuant to 28 U.S.C. § 1915(g) unless plaintiff paid the \$250 filing fee within ten days.

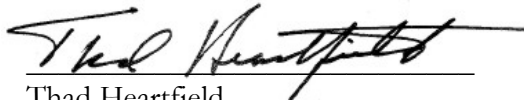
The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed a notice of inability to pay the filing fee which the court liberally construes as objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit.

**ORDER**

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

**SIGNED** this the **9** day of **November, 2005**.

  
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Thad Heartfield  
United States District Judge